

## REMARKS

By this amendment, claims 1-10, 12-13, 15, 18, 20, 22-23, 30, 31-34, 36 and 51-64 are pending in the application. Of these, claims 1-2, 18, 23, 30, 31, 51 and 55 are being amended. Claims 16-17, 24-29, 37-50 and 65-69 remain withdrawn. The amendments are fully supported by the originally filed specification and original claims and add no new matter. Furthermore, the claims are being amended to incorporate material previously presented in the dependent claims, and thus the claim amendments do not require a new search. For example, the phrase "process monitoring system" in amended claim 1 was previously presented in dependent claim 2. Entry of the amendments and new claims and reconsideration of the present case is respectfully requested.

Rejection Under 35 U.S.C. 102 of Claims 1, 3-10, 12, 13, 18, 20, 22, 30, 32, 34, 36, 51, 52, 56-62 and 64

### Tauchi et al.

The Examiner rejected claims 1, 3, 4, 12, 13, 18, 20, 30, 34 and 36 under 35 U.S.C. 102(b) as being anticipated by JP 09-232,099 to Tauchi et al. This rejection is traversed.

Claim 1 is not anticipated by Tauchi et al. because Tauchi et al. does not teach "a wall having a radiation permeable wall portion, the radiation permeable wall portion comprising a plurality of recesses sized to reduce the deposition of process residues therein," (emphasis added) as recited in the claim. Tauchi et al. discloses a method "to improve the ignitability of a plasma, to disperse the deviated plasma distribution, by providing recesses on a plasma generation chamber side" (abstract.) Thus, Tauchi et al. discloses providing recesses that improve the ignition of a plasma, or that provide a plasma distribution. Tauchi et al. does not teach recesses that are sized to reduce deposition of process residues therein, as in the instant claim.

Furthermore, the recesses taught by Tauchi et al. are different than the claimed deposition-reducing recesses. The Tauchi et al. recesses are shaped to improve plasma ignition and distribution by providing a desired energy transmission through a wall. Such recesses do not inherently or necessarily reduce deposition, as the requirements for the control of energy transmission are different from those desirable for reducing deposition on a wall. For example, the recesses that provide a desired energy transmission for plasma ignition do not inherently provide sufficient control of the access of gas species to the wall to reduce deposition. Furthermore, Tauchi et al. also does not teach or suggest that recesses that improve plasma ignition could be sized to reduce deposition. Accordingly, Tauchi et al. does not teach the wall portion comprising the plurality of recesses recited in the claim, and claim 1 and the claims depending therefrom are not anticipated by Tauchi et al.

Claim 18 similarly recites a "radiation permeable wall portion having a recess sized to reduce the deposition of process residues therein," and thus, claim 18 and the claims depending therefrom are not anticipated by Tauchi et al. because Tauchi et al. does not teach recesses that are sized to reduce deposition.

Claim 30 is not anticipated by Tauchi et al. because Tauchi et al. does not teach "recesses having an aspect ratio sized to reduce the deposition of process residues therein," as recited in the claim. As discussed above, Tauchi et al. does not teach recesses that are sized to reduce deposition. Furthermore, Tauchi et al. also does not teach recesses having an aspect ratio that reduces deposition. Accordingly, claim 30 and the claims depending therefrom are not anticipated by Tauchi et al.

**Hoffman et al.**

The Examiner rejected claims 1, 3-10, 12, 13, 18, 20, 22, 30, 32, 34, 36, 51, 52, 56-62 and 64 under 35 U.S.C 102(e) as being anticipated by U.S. Patent No. 6,132, 566 to Hoffman et al. This rejection is traversed.

Claim 1 recites "a process monitoring system to monitor radiation passing through at least one of the recesses in the radiation permeable wall portion," and thus is not anticipated by Hoffman et al. because, as the Examiner acknowledged in the Office Action mailed August 14, 2003, "Hoffman et al does not teach a process monitoring system." Accordingly, claim 1 and the claims depending therefrom are not anticipated by Hoffman et al.

Claims 18, 30 and 31 similarly recite "a process monitoring system to monitor radiation" passing through a recess in a radiation permeable wall portion, and thus these claims and the claims depending therefrom are not anticipated by Hoffman et al.

**Rejection Under 35 U.S.C. 103(a) of Claims 2, 15, 23, 31, 33, 53-55 and 63**

**Hoffman et al. and Imatake et al.**

The Examiner rejected claims 2, 15, 23, 31, 55 and 63 under 35 U.S.C. 103(a) as being unpatentable over Hoffman et al. in view of U.S. Patent No. 5,759,424 to Imatake et al. This rejection is traversed.

Hoffman et al. may not be used to form an obviousness rejection over the claims because, as stated in 35 U.S.C. 103(c);

"Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person."

Both Hoffman et al. and the present application were, at the time the invention of the present application was made, owned by Applied Materials, Inc, of

Santa Clara, CA. Thus, Hoffman et al. is disqualified as a reference for 103 purposes, and Hoffman et al. can not be combined with Imatake et al. to reject the claims of the present application under 35 U.S.C. 103(a).

#### **Hoffman et al.**

The Examiner rejected claims 33, 53 and 54 under 35 U.S.C. 103(a) as being unpatentable over Hoffman et al. This rejection is traversed.

As discussed above, Hoffman et al. is disqualified as a reference for 103 purposes as Hoffman et al. and the present application are commonly owned. Accordingly, the claims of the present application may not be rejected under 35 U.S.C. 103(a) over Hoffman et al.

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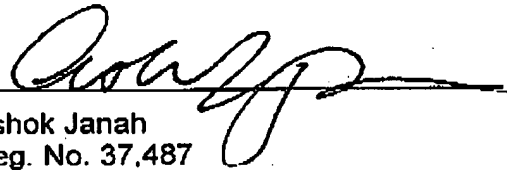
### CONCLUSION

The above-discussed amendments are believed to place the present application in condition for allowance. Should the Examiner have any questions regarding the above remarks, the Examiner is requested to telephone Applicant's representative at the number listed below.

Respectfully submitted,  
JANAH & ASSOCIATES, P.C.

Date: November 14, 2003

By:

  
Ashok Janah  
Reg. No. 37,487

Please direct all telephone calls to: Ashok K. Janah at (415) 538-1555

Please continue to send correspondence to:

APPLIED MATERIALS, INC.  
Patent Department, M/S 2061  
P.O. Box 450A  
Santa Clara, California 95052.

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